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September 20, 1996

BY HAND DELIVERY

Mr. William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Room 222
Washington, D.C. 20554

RECEIVED

SEP 20 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

Re: In the Matter of Amendment of Section
73.202(b) Table of Allotments FM
Broadcast Stations
Live Oak Broadcasting
Three Rivers, Texas
MM Docket No.:

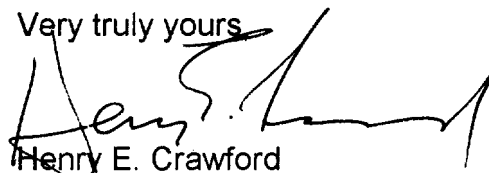
DOCKET FILE COPY ORIGINAL

Dear Mr. Caton:

Transmitted herewith on behalf of Live Oak Broadcasting are an original and four (4) copies of a "Petition for Rulemaking" as directed to the Allocations Branch.

Should any additional information be required, please contact this office.

Very truly yours


Henry E. Crawford
Counsel for
Live Oak Broadcasting

cc: The Allocations Branch

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BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C.

In the Matter of) MM Docket No. _____
)
Amendment of Section 73.202(b)) RM No. _____
Table of Allotments)
FM Broadcast Stations)
Three Rivers, Texas)

RECEIVED

To: The Allocations Branch
Policy and Rules Division
Mass Media Bureau

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SEP 20 1996

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

PETITION FOR RULEMAKING

DOCKET FILE COPY ORIGINAL

Live Oak Broadcasting ("Live Oak"), by counsel, hereby petitions the Federal Communications Commission for the initiation of a rulemaking proceeding to amend the FM Table of Allotments, Section 73.202 of the Commission's Rules, to assign FM Channel 265A to the community of Three Rivers, Texas, as follows:

City	Present	Proposed
Three Rivers, Texas	None	265A

1. As indicated in the attached Engineering Statement (attached hereto as Exhibit 1), Channel 265A can be assigned to Three Rivers in complete compliance with the Commission's distance separation requirements as contained 47 CFR §73.207. Additionally, the Commission's city coverage service requirements are satisfied and there is a wide area available for placing an appropriate transmitter.

2. Three Rivers is a city located in Live Oak County, Texas.

According to the 1994 Rand McNally Commercial Atlas, Three Rivers has a population of 9,556. Three Rivers is located along Interstate 37, approximately half way between Corpus Christi, Texas and San Antonio, Texas. At present, the community is not receiving community service from any aural service. Therefore, the public interest will be served by the assignment of Channel 265A to Three Rivers, Texas.

3. If the Commission assigns Channel 265A to Three Rivers, Texas, Live Oak will apply for a construction permit and will construct a new Class A facility upon award of that permit.

WHEREFORE, in accordance with the above, Live Oak Broadcasting respectfully requests that Channel 265A be assigned to Three Rivers, Texas.

September 20, 1996

Respectfully Submitted,

Law Offices of

Live Oak Broadcasting

Henry E. Crawford, Esq.
1150 Connecticut Avenue, N.W.
Suite 900
Washington, D.C. 20036
(202) 862-4395

By:



Henry E. Crawford

His Attorney

CERTIFICATE OF SERVICE

I, Henry E. Crawford, do hereby certify that copies of the foregoing
Petition for Rulemaking have been served by United States mail, postage
prepaid this 20th day of September, 1996 upon the following:

*Sharon P. McDonald
Allocations Branch, Mass Media Bureau
Federal Communications Commission
2000 M Street, N.W., 5th Floor
Washington, D.C. 20554

*Hand Delivered


Henry E. Crawford

Live Oak Broadcasting
Three Rivers, Texas
Exhibit 1
September 20, 1996

Exhibit 1

Live Oak Broadcasting
PETITION FOR RULEMAKING
FM CHANNEL 265A
Three Rivers, Texas

September 1996

(c) 1996
F. W. Hannel, PE
All Rights Reserved

STATE OF ILLINOIS)
) SS:
COUNTY OF PEORIA)

F. W. Hannel, after being duly sworn upon oath,
deposes and states:

He is a registered Professional Engineer, by
examination, in the State of Illinois;

He is a graduate Electrical Engineer, holding Bachelor
of Science and Master of Science degrees, both in Electrical
Engineering;

His qualifications are a matter of public record and
have been accepted in prior filings and appearances requiring
scrutiny of his professional qualifications;

The attached Engineering Report was prepared by him
personally or under his supervision and direction and;

The facts stated herein are true, correct, and
complete to the best of his knowledge and belief.



September 16, 1995

F. W. Hannel, P.E.

F. W. Hannel, PE
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Henry, Illinois 61537
(309) 364-3903
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Live Oak Broadcasting
PETITION FOR RULEMAKING
FM CHANNEL 265A
Three Rivers, Texas

September 1996

ENGINEERING STATEMENT

This firm has been retained by Live Oak Broadcasting to prepare this Engineering Statement in support of its Petition For Rulemaking seeking the assignment of FM Channel 265A to the community of Three Rivers, Texas.

The community of Three Rivers, Texas, is located in Live Oak County. The community has a population of 1,889 persons (1994 Rand McNally Commercial Atlas), and Live Oak County has a population of 9,556 persons, (1994 Rand McNally Commercial Atlas). The city is located along Interstate 37, approximately half way between Corpus Christi, Texas, and San Antonio, Texas. The community is effectively isolated and is not receiving community service from any aural service. The Commission has proposed one channel for assignment to the community, however, that proceeding has been the subject of an ongoing dispute at the allotment stage, and the community is without service at this time.

Attached as Exhibit E-1 is an FM Channel study conducted from the reference co-ordinates listed in the US Atlas, N43-28-57, W110-45-42), and this exhibit clearly shows that the assignment of FM Channel 265A can be made to the community without imposition of any site restrictions. There is a wide area

that will accommodate a transmitter that will provide the community of Three Rivers, Texas, with the required city grade illumination while remaining within the mileage separation requirements of Section 73.207 of the Commission's Rules.

In view of the foregoing, it is respectfully requested that the Commission amend the FM Table of Allotments as follows:

Community	Present	Proposed
Three Rivers, Texas	-----	265A

The allotment of the channel as is proposed in this rulemaking petition will provide the Community of Three Rivers, Texas, with its first local aural service, a substantial public interest benefit to the community and its environs.

Live Oak Broadcasting
 PETITION FOR RULEMAKING
 FM Channel 265A
 Three Rivers, Texas

September 1996

Exhibit E-1
 FM Channel Study
 N28-27-48 W98-10-54

CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	CLEARANCE
ALC	Piedras Negras	CI	265	B		243.0	240.0	276.8°	3.0
ALC	Victoria	TX	265	A	U	116.4	115.0	71.9°	1.4
ALC	George West	TX	265	A	A	15.7	115.0	155.3°	-99.3
KEPG	Victoria	TX	265	A	L	116.4	115.0	71.9°	1.4
ALC	Fredericksburg	TX	266	C	U	165.0	165.0	337.7°	-0.0
KONOFM	Helotes	TX	266	C	A	165.0	165.0	337.7°	-0.0
KONOFM	Fredericksburg	TX	266	C	D	165.0	165.0	337.7°	-0.0
KONOFM	Fredericksburg	TX	266	C	L	165.0	165.0	337.7°	-0.0

All Distances in Kilometers